

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| SHARON CHOW, |) | |
| Plaintiff, |) | Assigned Judge: Judge Robinson |
| |) | |
| against |) | |
| |) | INDEX NO. 05 CV 2417 |
| THE STRIDE RITE CORP. d/b/a |) | |
| TOMMY HILFIGER, |) | |
| FOOTWEAR, |) | |
| Defendant. |) | |

NOTICE OF MOTION

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 56 and LR, S.D.N.Y. 56.1, defendant The Stride Corporation, d/b/a Tommy Hilfiger Footwear (“Stride Rite”), will move this Court, before the Honorable Stephen C. Robinson on a date to be set by the Court, in the United States Courthouse, Southern District of New York, 300 Quarropas Street, White Plains, NY 10601-4150, for an Order granting summary judgment to Stride Rite on each of the three counts of plaintiff Sharon Chow’s (“Chow”) Verified Complaint dated February 20, 2005.

As grounds for its Motion, Stride Rite states that the annexed Affidavit of Counsel John E. Coyne and the exhibits annexed thereto, the Affidavit of K. Mavourneen (“Bornie”) Del Priore, Affidavit of Richie Woodworth, Affidavit of Denise Lockaby, and the exhibits annexed thereto, and Defendant’s Statement of Undisputed Material Facts Pursuant to LR, S.D.N.Y. 56.1, all filed herewith, and the pleadings and all prior proceedings heretofore had herein, establish that there is no genuine issue as to any

material fact and that Stride Rite is entitled to judgment as a matter of law on each of the three counts of the Verified Complaint.

Defendant's Memorandum in Support of Defendant's Motion for Summary Judgment also is filed herewith.

WHEREFORE, defendant Stride Rite requests this Court:

1. Grant summary judgment to Stride Rite on each count of the Verified Complaint;
2. Enter judgment on behalf of Stride Rite and against Chow on each count of the Verified Complaint; and
3. Grant such other relief to Stride Rite as this Court deems just and appropriate.

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Dated: June 9, 2006